

## Pharmacy-related WV Legislative Summary 2019

### Legislative Rules in Effect as on March 22, 2019

1. **Reciprocity for Pharmacy Technicians:** A pharmacy technician who has obtained a national certification and practiced in another jurisdiction for at least a year is eligible to apply for reciprocity in WV. He/she must still apply as a pharmacy technician trainee and complete the 20 hour site-specific training program. The individual must be in good standing in the original state of jurisdiction. Then, the individual will apply to be a pharmacy technician providing satisfactory proof to the Board of his or her licensure status with the BOP in the state in which the individual was licensed. In states where there is no technician licensure, a notarized document of proof of satisfactory employment by the previous pharmacist in charge is sufficient. Also, provide the proof of national certification.
2. **Pharmacy Technician Trainee Hours:** Pharmacy technician trainees now are required to have a minimum of 500 hours employment within a 12-month period under the direct supervision of a pharmacist to complete the on-the-job, competency-based pharmacy technician training program. This is a reduction in hours required from the 960 hours in 15 months. The pharmacy technician trainee has 90 days to pass the national test and get registered at a pharmacy technician after obtaining the required hours. If an individual is currently registered as a pharmacy technician trainee and has 500 hours (including the 20 hour site specific training program), he/she may go ahead and apply to take a national pharmacy technician certification exam. Once the exam is passed, he/she is may apply to be a WV pharmacy technician through the usual process.
3. **Cashiers in the Pharmacy:** A person who handles the prescription drug only during the point of sale to provide the prescription drug to a patient and accept payment is NOT subject to the licensure requirements of §15-7 (the pharmacy tech). This handling process includes the cashier having access to the pharmacy’s operating system to view unique information for each patient. A pharmacy may require an individual to complete a criminal background check before he or she is hired.

Bill # Name	What it does...	Effective Date	Additional Notes
HB 2524 Conversion of Prescriptions and Emergency Fills	<b>30 to 90 Day Conversions</b> <ul style="list-style-type: none"> <li>• If previously filled med for chronic condition or contraceptive and pharmacist agrees patient is stabilized after consulting patient</li> <li>• Patient desires conversion &amp; sufficient quantity is remaining</li> <li>• Excludes controlled substances</li> </ul> <b>Dosage Substitutions</b>	6/6/2019	

	<ul style="list-style-type: none"> <li>• If RPh is unable to dispense the prescribed dosage, may substitute same drug in different dosage as long as total dosage remains the same AND:</li> <li>• RPh counsels pt on the difference and notifies prescriber within 5 business days</li> </ul> <p><b>Emergency Prescriptions for Life-sustaining Medications</b></p> <ul style="list-style-type: none"> <li>• If the pharmacy has a record of a previous prescription for medication other than Schedule II or controlled substance and is unable to contact the prescriber to secure a refill MAY if in RPh professional judgement:</li> <li>• Is life-sustaining for chronic condition</li> <li>• Not dispensing could result in harm to patient</li> <li>• May provide 30 days supply or standard unit of dispensing (eg inhaler/vial of insulin)</li> <li>• Only allowed one time per drug per 12 months</li> <li>• Must keep record of drug, amount, original rx number, name/address of patient for one year</li> <li>• Must notify prescriber within 72 hours</li> </ul>		
<p>HB 2525 Tobacco Cessation Therapy Access Act</p>	<p>RPh may start &amp; dispense non-controlled rx, OTC, and other professional services for tobacco cessation via approved protocol. Must have completed a BOP-approved training program to be eligible to participate</p>	<p>Effective 6/4/2019</p>	<p>May not participate until Protocol and Rules are complete and passed!</p>

	and notify patient's PCP within 2 days when therapy initiated.		
HB 2583 Family Planning Access Act	RPh may start and dispense self-administered hormonal contraceptive to adults under a standing order protocol from state medical officer. Must have completed a BOP-approved training program to be eligible to participate. May only continue duration for 12 months and must notify PCP. Age 18 and older.	Effective 6/5/2019	May not participate until Protocol and Rules are complete and passed!
HB 2849 Technician Classes and Scope	<p>Nuclear Pharmacy Technicians</p> <ul style="list-style-type: none"> <li>• Separate licensure from regular pharmacy technician</li> <li>• Defines their scope</li> </ul> <p>Pharmacy Technician Scope – expands scope</p> <ul style="list-style-type: none"> <li>• Direct supervision: Can now complete a list of patient's medication to provide for medication reconciliation; supervise pharmacy technicians and pharmacy technician trainees; medical records screening; and Perform pharmacy technician product verification, where no clinical judgment is necessary and the pharmacist makes the final verification</li> </ul>	Effective 6/7/2019	May not implement scope expansion regarding pharmacy technician product verification until rules written and passed Leg session 2020.
HB 2768 Opioid Reduction Act	<p>Now only applicable to Schedule II OPIOIDS Therefore, the "initial" rx limits are for the Schedule II opioids only and 30 day rx after that.</p> <p>Schedule II non-opioids may be written for 90 day supply</p> <p>Pharmacists are not to enforce this provision and BOP cannot discipline. RPh should contact BOM for MDs violating and use professional judgement for patient care.</p>	Effective 6/7/2019	
HB 518 Sale of Dextromethorphan	<p>Must be 18yo to purchase finished drug product containing any quantity of dextromethorphan. Must provide ID if the person looks younger than 25 years of age.</p> <p>Product does NOT need to be behind the counter.</p>	Effective 5/31/2019	
HB 2509 Felony Penalty for Prohibited Acts	It is a felony to acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, theft, deception, or subterfuge	Effective 6/4/2019	